

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Ming C. Hao, et al.	Examiner:	Jin Cheng Wang
Serial No.:	10/774,315	Group Art Unit:	2628
Filed:	February 6, 2004	Docket No.:	200314065-1
Title:	Methods and Systems for Automated Visual Comparison Based on User Drilldown Sequences		

REPLY APPEAL BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed July 24, 2007, Appellants file this Reply Brief in accordance with 37 C.F.R. § 41.41.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

All Elements Not Taught in Art

Applicants stress that all of the claim elements are not taught in Keim-2002. Claim 1 recites deriving a multi-level dynamic hierarchical structure based on drilldown sequences input from a user. These drilldown sequences derive **two different elements**: (1) a multi-pixel bar chart that simultaneously displays numerical values of aggregated data for plural bars, and (2) a graphical illustration that displays a comparison of the numerical values of aggregated data.

Figure 5 of Applicants' specification (reproduced below) shows "numerical values of aggregated data" (shown at the top of the bars as "Total \$ Amount 1M, 700K, 500K").

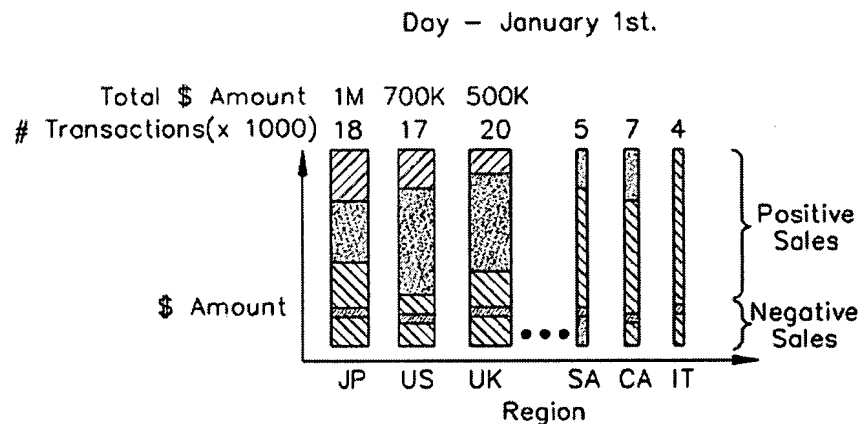


Fig.5

Figure 6 of Applicants' specification (reproduced below) shows a graphical illustration as a comparison of the numerical values of aggregated data from Figure 5. Figure 6 shows comparisons of regions (JP, US, UK, etc.) of standard deviations for sales:

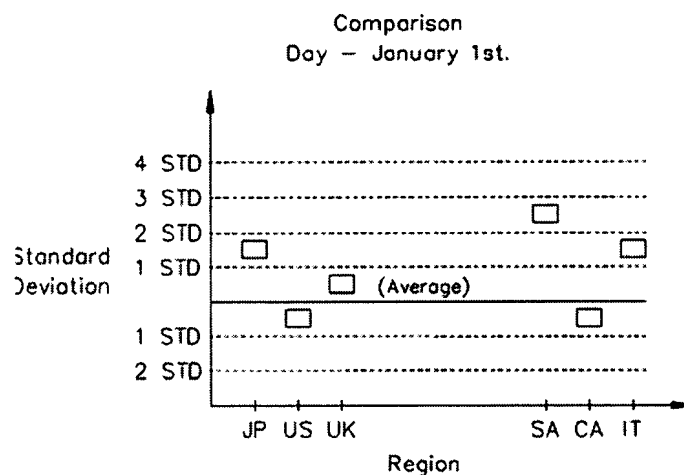
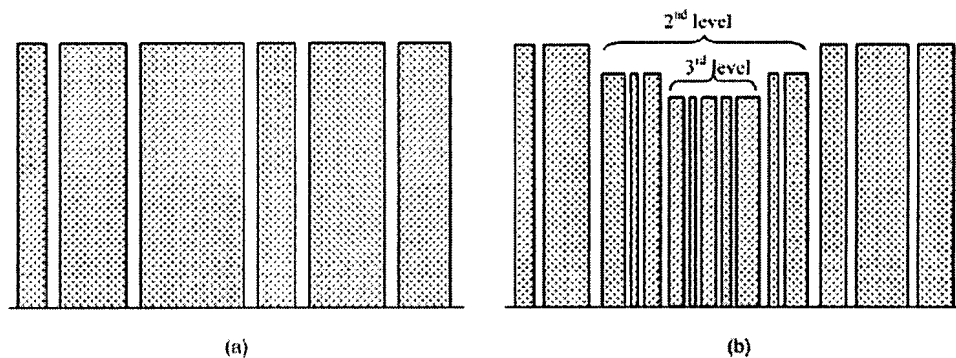


Fig.6

Section 3.3 of Keim-2002 teaches that hierarchical pixel bar charts allow a user to select a bar of a pixel bar chart to get the bar expanded. This concept is illustrated in Fig. 7 of Keim-2002 (reproduced below).



As shown, the third bar in Fig. 7(a) is expanded through drilldown to a 2nd level and a 3rd level shown in Fig. 7(b). Keim-2002 teaches drilling down from a first pixel bar to establish other pixel bars. A user expands one pixel bar in a first chart to plural pixel bars in a second chart. Nowhere does Keim-2002 teach drilling down to derive a pixel bar chart that “displays numerical values of aggregated data for plural bars.” The pixel bar charts in Keim-2002 never even display numerical values of aggregated data.

Response Examiner's Arguments

First, the Examiner argues that figure 12 in Keim-2002 shows the elements of claim 1. Applicants respectfully disagree.

Figure 12(a) in Keim-2002 shows a bounding box drawn around a portion of several pixel bars. Figure 12(b) shows details of this bounding box. Nowhere does figure 12 show “numerical values” of aggregated data. The numbers (7, 8, 9, etc.) above the bars in figure 12(a) are days of the week, not aggregated data.

Further, Applicants stress that claim 1 requires two elements that are tied together. Claim 1 recites deriving a multi-level pixel bar chart that displays numerical values of aggregated data. Then, the claim 1 recites deriving a graphical illustration that displays a comparison of the numerical values of aggregated data previously derived in the pixel bar chart. **Importantly, notice that the graphical illustration displays a comparison of aggregated data from the previously derived pixel bar chart.** In other words, data in the pixel bar chart is used to derive a comparison shown in the graphical illustration. Nowhere does Keim-2002 show both a pixel bar chart and a then a derived graphical illustration having this claimed relationship.

Second, the Examiner argues that the combination of figures 4 and 12 in Keim-2002 teach the claim elements. This argument is flawed because nowhere does figure 12 in Keim-2002 show a pixel bar chart with “numerical values” of data. Again, the numbers in figure 12(a) of Keim-2002 are days, not numerical values of aggregated data. Also, figure 4 in Keim-2002 is not derived from figure 12, and figure 12 is not derived from figure 4. Figures 4 and 12 in Keim-2002 do not show data derived from each other. In contrast, to figures 4 and 12 in Keim-2002, claim 1 recites that **the graphical illustration displays a comparison of aggregated data from the pixel bar chart**. In other words, data in the pixel bar chart is used to derive a comparison shown in the graphical illustration.

Third, the Examiner argues that the combination of figures 12 and 16 in Keim-2002 teach the claim elements. This argument is flawed because nowhere do either figures 12 or 16 in Keim-2002 show a pixel bar chart with “numerical values” of data. The numbers in figures 12(a) and 16 of Keim-2002 are days, not numerical values of aggregated data. Also, figures 12 and 16 are not related or derived from each other as

recited in the claims. In contrast, to figures 12 and 16 in Keim-2002, claim 1 recites that **the graphical illustration displays a comparison of aggregated data from the pixel bar chart**. In other words, data in the pixel bar chart is used to derive a comparison shown in the graphical illustration. Figure 16 in Keim-2002 is not displaying a comparison of numerical values of aggregated data displayed in figure 12 of Keim-2002.

Fourth, the Examiner repeatedly argues a broad interpretation of the claims. For example, claim 1 recites “a comparison of numerical values.” The Examiner broadly construes this as a mere comparison (see Examiners Answer at p. 24). **The Examiner is ignoring words expressly recited in a claim**. Applicants strongly disagree with the Examiner’s interpretation of claims during prosecution.

It is well-settled that each word in a claim must have meaning. Ethicon Endo-Surgery, Inc. v. U.S. Surgical-Corp., 93 F.3d 1572, 1582 (Fed. Cir. 1996). Applicants respectfully ask the Board of Appeal to interpret each and every word appearing in the claims.

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Respectfully submitted,

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